

JOHN A. PIET, ESQ.
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PIET & WRIGHT
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Las Vegas, Nevada 89130
Attorney for Debtor

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:

TIMOTHY LEE PITTSBARGER

Debtor.

CASE NO.: BK-S 11-11642 LED
IN CHAPTER 7 PROCEEDINGS

ADVERSARY NO.: 15-01051 LED

**MOTION TO WITHDRAW AS
ATTORNEY OF RECORD**

Hearing Date: February 29, 2016
Hearing Time: 1:30 p.m.

TRACY HOPE DAVIS, UNITED STATES
TRUSTEE,

Plaintiff

vs.

TIMOTHY LEE PITTSBARGER

Defendant

JOHN A. PIET, ESQ., of the law firm of PIET & WRIGHT. respectfully moves
this court for an order permitting CHARLES T. WRIGHT, ESQ. and JOHN A. PIET, ESQ.,
to withdraw as counsel for TIMOTHY LEE PITTSBARGER ("Debtor"), in the above
captioned matter, pursuant to Local Rule IA 10-6, S.C.R 46, and N.R.P.C 1.16 (b)(1) and (7).

This Motion is made and based upon the Memorandum of Points and Authorities submitted
herein, the Declaration of John A. Piet, Esq., attached hereto, the pleadings and papers on file

...

...

herein, and any argument adduced at the hearing of this Motion to Withdraw as Counsel of Record.

Dated this 12th day of January, 2016.

Respectfully submitted,

PIET & WRIGHT

By: /s/ JOHN A. PIET

JOHN A. PIET, ESQ.

Nevada Bar No. 10717

3654 North Rancho Drive, Suite 101

Las Vegas, Nevada 89130

Attorney for Debtor

MEMORANDUM OF POINTS AND AUTHORITIES

Due to illness, Attorney Charles T. Wright no longer works on a day-to-day basis at Piet & Wright. Furthermore, due to attorney Wright's inability to continue to practice law at this time and pending retirement from the firm, Piet & Wright shall be closing its doors within the next couple of months. The Local Rule IA 10-6 (a) provides that "No attorney may withdraw after appearing in a case except by leave of court after notice served on the affected client and opposing counsel." Debtor received notice of Attorney Wright's intent to withdraw from this case, and all other Piet & Wright cases upon Attorney Wright's final week of full-time employment. Additionally, the opposing counsels in this case will receive notice of this Motion to Withdraw via the CM/ECF system, pursuant to the certificate of service attached herein.

Additionally, Local Rule IA 10-6 (e) provides that "no withdrawal... shall be approved if delay of discovery, the trial or any hearing in the case would result." Here, no delay of any kind will result from Piet & Wright's withdrawal because Debtor is in the

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1 process of seeking outside counsel to further represent him in this matter. Piet & Wright's
2 withdrawal will not prejudice either party or delay any proceeding in this matter.

3
4 **CONCLUSION**

5 For the reasons set forth above, John A. Piet, Esq. of Piet & Wright respectfully
6 moves this Court enter an Order approving the withdrawal of Charles T. Wright, Esq. and
7 John A. Piet, Esq. as a representing attorneys for Debtor in the instant matter.

8 Dated this 22nd day of January, 2016.

9 Respectfully submitted,

10 PIET & WRIGHT

11 By: /s/ JOHN A. PIET

12 JOHN A. PIET, ESQ.

13 Nevada Bar No. 10717

14 3654 North Rancho Drive, Suite 101

15 Las Vegas, Nevada 89130

16 *Attorney for Debtor*

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**DECLARATION OF JOHN A PIET, ESQ. IN SUPPORT OF MOTION TO
WITHDRAW AS COUNSEL OF RECORD**

I, John A. Piet, declare, under penalty of perjury, that the following is true and correct:

1. I am an attorney-at-law admitted to practice in all courts of the State of Nevada. I have personal knowledge of the facts set forth below and I believe them to be true.

I am over eighteen years old and I am competent to testify to the matters set forth herein.

2. That Attorney Wright represented Debtor, in the above-referenced matter from the filing date of the petition until his departure from full-time work at Piet & Wright on December 1, 2015.

3. That I made multiple appearances on behalf of Attorney Wright in the above-referenced matter.

4. That Attorney Wright is no longer working full-time at Piet & Wright as of December 1, 2015.

5. That Piet & Wright will be closing its doors within the next couple of months.

6. That the Debtor was given notice of Attorney Wright's intent to withdraw from this case and all other pending cases before this Court.

**I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS
TRUE AND CORRECT.**

By: /s/ JOHN A. PIET
JOHN A. PIET, ESQ.